



General Assembly

January Session, 2009

Amendment

LCO No. 9405

HB0669509405SR0

Offered by:

SEN. BOUCHER, 26th Dist.

To: Subst. House Bill No. 6695

File No. 664

Cal. No.

(As Amended by House Amendment Schedule "A")

**"AN ACT CONCERNING THE CONVEYANCE OF CERTAIN
PARCELS OF STATE LAND."**

1 Strike section 25 in its entirety and insert the following in lieu
2 thereof:

3 "Sec. 25. (a) The Commissioners of Motor Vehicles, Public Safety
4 and Transportation shall conduct a study on any increase in noise
5 levels, including the need for constructing of sound barriers, that may
6 result from changes in weigh station locations and procedures
7 resulting from any 2001 legislation. The commissioners shall submit a
8 report on said study to the joint standing committee of the General
9 Assembly having cognizance of matters relating to transportation on
10 or before February 1, 2010.

11 (b) Upon petition of fifty per cent of the owners of benefited
12 property and after a public hearing, a municipality may issue bonds
13 under section 7-369 of the general statutes for the construction of

14 sound barriers along an interstate highway, the proceeds of which
15 shall be used as a municipal contribution towards the cost of planning,
16 designing and constructing of such sound barriers, provided the
17 proceeds of such bonds are paid to the Department of Transportation
18 for the purpose of planning, designing and constructing such sound
19 barriers. Any municipality that issues bonds under this section shall
20 levy benefit assessments upon properties benefited for the purpose of
21 paying for such bonds and the costs of issuance.

22 (c) Any assessment of benefits or any installment thereof, not paid
23 within thirty days after the due date, shall be delinquent and shall be
24 subject to interest from such due date at the interest rate and in the
25 manner provided by the general statutes for delinquent property taxes.
26 Each addition of interest shall be collectible as a part of such
27 assessment.

28 (d) Whenever any installment of an assessment becomes delinquent,
29 the interest on such delinquent installment shall be as provided in
30 subsection (a) or five dollars, whichever is greater. Any unpaid
31 assessment and any interest due thereon shall constitute a lien upon
32 the real estate against which the assessment was levied from the date
33 of such levy. Each such lien may be continued, recorded and released
34 in the manner provided by the general statutes for continuing,
35 recording and releasing property tax liens. Each such lien shall take
36 precedence over all other liens and encumbrances except taxes and
37 may be enforced in the same manner as property tax liens. The tax
38 collector of the municipality may collect such assessments in
39 accordance with any mandatory provision of the general statutes for
40 the collection of property taxes and the municipality may recover any
41 such assessment in a civil action against any person liable therefor.

42 (e) Any municipality, by resolution of its legislative body, may
43 assign, for consideration, any and all liens filed by the tax collector to
44 secure unpaid sewer assessments as provided under the provisions of
45 this chapter. The consideration received by the municipality shall be
46 negotiated between the municipality and the assignee. The assignee or

47 assignees of such liens shall have and possess the same powers and
48 rights at law or in equity as such municipality and municipality's tax
49 collector would have had if the lien had not been assigned with regard
50 to the precedence and priority of such lien, the accrual of interest and
51 the fees and expenses of collection. The assignee shall have the same
52 rights to enforce such liens as any private party holding a lien on real
53 property, including, but not limited to, foreclosure and a suit on the
54 debt. Costs and reasonable attorneys' fees incurred by the assignee as a
55 result of any foreclosure action or other legal proceeding brought
56 pursuant to this section and directly related to the proceeding shall be
57 taxed in any such proceeding against each person having title to any
58 property subject to the proceedings. Such costs and fees may be
59 collected by the assignee at any time after demand for payment has
60 been made by the assignee.

61 (f) As used in this section, "benefited property" means any
62 residential property in a municipality located within an area
63 designated by the municipality and "municipality" means any
64 municipality as defined in section 7-369 of the general statutes."